

# EXHIBIT 1

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**CHARLENE CARTER,**

**Plaintiff,**

**V.**

**SOUTHWEST AIRLINES CO., AND  
TRANSPORT WORKERS UNION OF  
AMERICA,  
LOCAL 556,**

## Defendants.

**Civil Case No. 3:17-cv-02278-X**

## DECLARATION OF CHRIS MABERRY

I, Chris Maberry, declare as follows:

1. I am at least 18 years old. I have personal knowledge of the facts stated herein, and if called as a witness, could competently testify thereto.

2. I am the Senior Attorney – Employment Practices & Litigation at Southwest Airlines Co. in Dallas, Texas. I have held that position since approximately February 2017.

3. My job duties as Senior Attorney – Employment Practices & Litigation include, among other things, overseeing Southwest’s labor and employment related litigation. In connection therewith, I have been involved in Southwest’s defense of Plaintiff Charlene Carter’s (“Plaintiff”) claims in this lawsuit including communicating with Southwest’s current and former employees who have been identified as potential witnesses in this lawsuit.

4. I was informed that counsel for Plaintiff served Brett Nevarez, a Southwest flight attendant, with a subpoena noticing a deposition for July 4, 2022. I subsequently became aware

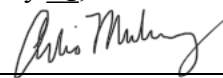
that Judge Brantley Starr issued an order on July 2, 2022, ordering Mr. Nevarez to sit for the remote deposition. Due to my knowledge of the July 2 Order, I emailed Mr. Nevarez providing a copy of the order, requesting that he attend the deposition as noticed, and informing him of the potential consequences if he did not. A true and correct copy of my July 2, 2022 email to Mr. Nevarez is attached here to as **Exhibit A**.

5. When Mr. Nevarez failed to appear for the July 4, 2022 deposition, on July 5, 2022, I sent him a follow up email re-urging that he make himself available for a deposition by the new July 6 deadline and again informed him that his failure to comply could result in monetary fines and imprisonment. A true and correct copy of my July 5, 2022 email to Mr. Nevarez is contained in **Exhibit B**, attached hereto.

6. On July 6, 2022, I sent a follow up email asking that Mr. Nevarez confirm his intention to appear for the deposition as required by Judge Starr's order. A copy of my July 6, 2022 email to Mr. Nevarez is contained in Exhibit B.

7. After receiving no response to my July 5 or July 6 emails, on July 7, 2022, I forwarded Mr. Nevarez Judge Starr's show cause order. A true and correct copy of the July 7, 2022 email to Mr. Nevarez forwarding the show cause order is contained in Exhibit B. Mr. Nevarez did not respond to my July 7 email, but I was informed that he did contact Defendant Transport Workers Union of America, Local 556.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed in Dallas, Texas on July 25, 2022.

  
\_\_\_\_\_  
Chris Maberry

# EXHIBIT A

**From:** Chris Maberry <Chris.Maberry@wnco.com>  
**Sent:** Saturday, July 2, 2022 12:16 PM  
**To:** Brett Nevarez  
**Cc:** Lauren Bobis Armstrong  
**Subject:** Your deposition on Monday at 1 pm  
**Attachments:** Depo Notice Nevarez 7-1-22 Final.pdf

Mr. Nevarez,

Apologies for the interruption on the holiday weekend. Former Flight Attendant Charlene Carter has sued Southwest and TWU 556, and the case is going to trial on Tuesday. As you may already know, Ms. Carter's attorneys have asked to take your deposition, and the judge has ordered your deposition to occur via video conference on Monday, July 4 at 1 pm.

A copy of the judge's order is below, and the notice of your deposition is attached. Please understand that should you fail to appear for your deposition, you may be held in contempt of court. On behalf of Southwest, I respectfully request that you attend the deposition as noticed.

At your earliest convenience, please confirm you will be available to be deposed at that day and time. The link to the deposition is included in the attachment.

Thanks,

Chris

Chris Maberry  
Senior Attorney – Employment Practices & Litigation  
Southwest Airlines  
2702 Love Field Drive, HDQ-4GC  
Dallas, TX 75235  
(214) 792-7704

**Southwest**

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# EXHIBIT B

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**From:** Chris Maberry <Chris.Maberry@wnco.com>  
**Sent:** Thursday, July 7, 2022 4:09 PM  
**To:** Brett Nevarez  
**Cc:** 'agreenfield@candglegal.com'; McKeeby, Paulo B.; Morris, Brian K.; Ed Cloutman (ecloutman@lawoffices.email); Lauren Bobis Armstrong  
**Subject:** Re: Order compelling your deposition  
**Attachments:** DOC 320 Order re\_ Compelling B. Navarez to Attend Show Cause Hrg.pdf

EXTERNAL E-MAIL - From Chris.Maberry@wnco.com

Mr. Nevarez,

Please see the attached court order.

Chris Maberry - Southwest Airlines  
Adam Greenfield - TWU 556

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**From:** Chris Maberry <Chris.Maberry@wnco.com>  
**Sent:** Wednesday, July 6, 2022 1:07:50 PM  
**To:** Brett Nevarez <Brett.Nevarez@wnco.com>  
**Cc:** 'agreenfield@candglegal.com' <agreenfield@candglegal.com>; McKeeby, Paulo B. <PMcKeeby@reedsmith.com>; Morris, Brian K. <BMorris@reedsmith.com>; Ed Cloutman (ecloutman@lawoffices.email) <ecloutman@lawoffices.email>; Lauren Bobis Armstrong <Lauren.BobisArmstrong@wnco.com>  
**Subject:** Re: Order compelling your deposition

Mr. Nevarez,

Following up on the below email. Please let me know asap if you are available to be deposed this evening.

Thank you,

Chris Maberry

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**From:** Chris Maberry  
**Sent:** Tuesday, July 5, 2022 6:28:09 PM  
**To:** Brett Nevarez <Brett.Nevarez@wnco.com>  
**Cc:** 'agreenfield@candglegal.com' <agreenfield@candglegal.com>; McKeeby, Paulo B. <PMcKeeby@reedsmith.com>; Morris, Brian K. <BMorris@reedsmith.com>; Ed Cloutman (ecloutman@lawoffices.email) <ecloutman@lawoffices.email>; Lauren Bobis Armstrong <Lauren.BobisArmstrong@wnco.com>  
**Subject:** Order compelling your deposition

Mr. Nevarez,

On behalf of Southwest Airlines and TWU Local 556, we write to strongly urge you to make yourself available for a deposition tomorrow evening. You have already disobeyed a court order and subpoena compelling your deposition, despite numerous emails and phone calls from Southwest and Local 556 informing you of the date and time for that deposition.

Please read the court's order, which is attached to this email. In it, you can see the court has specifically directed you to appear for a deposition by 11:59 Central time tomorrow (July 6), and threatened consequences against you if you fail to comply – including monetary fines and imprisonment.

We are available to speak if you have any questions. We look forward to hearing from you tonight.

Respectfully,

Chris Maberry – Senior Attorney at Southwest Airlines, (214)792-7704  
Adam Greenfield – Attorney for TWU 556, (214)642-7486

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